

AGREED NOTICE OF VOLUNTARY DISMISSAL OF COMPLAINT

PLEASE TAKE NOTICE that, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, as made applicable hereto by Rule 7041 of the Federal Rules of Bankruptcy Procedure, Plaintiff Highland Capital Management, L.P. (“Highland”), the plaintiff in the above-captioned adversary proceeding (the “Adversary Proceeding”), on the one hand, and Highland Capital Management Fund Advisors (“HCMFA”), NexPoint Advisors, L.P. (“NexPoint”, and together with HCMFA, the “Advisors”), Highland Income Fund, NexPoint Strategic Opportunities Fund, and NexPoint Capital Inc. (collectively, the “Funds,” and together with the Advisors, the “Defendants”), hereby agree to dismiss with prejudice *Plaintiff Highland Capital Management, L.P.’s Verified Original Complaint for Declaratory and Injunctive Relief* [Docket No. 1] (the “Complaint”).

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Dated: November 22, 2021.

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